



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB1065

Introduced 2/8/2007, by Rep. Maria Antonia Berrios

#### SYNOPSIS AS INTRODUCED:

820 ILCS 130/11a

from Ch. 48, par. 39s-11a

Amends the Prevailing Wage Act. Provides that if the violation of the Act involves a worker who is not a legal resident alien or a United States citizen, then a single violation within 5 years shall place the contractor on the Department of Labor's list of contractors or subcontractors found to have disregarded their obligations to employees under the Act. Effective immediately.

LRB095 04747 RLC 24806 b

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Prevailing Wage Act is amended by changing  
5 Section 11a as follows:

6 (820 ILCS 130/11a) (from Ch. 48, par. 39s-11a)

7 Sec. 11a. The Director of the Department of Labor shall  
8 publish in the Illinois Register no less often than once each  
9 calendar quarter a list of contractors or subcontractors found  
10 to have disregarded their obligations to employees under this  
11 Act. The Department of Labor shall determine the contractors or  
12 subcontractors who, on 2 separate occasions within 5 years,  
13 have been determined to have violated the provisions of this  
14 Act. If the violation of this Act involves a worker who is not  
15 a legal resident alien or a United States citizen, then a  
16 single violation within 5 years shall place the contractor on  
17 the list. Upon such determination the Department shall notify  
18 the violating contractor or subcontractor. Such contractor or  
19 subcontractor shall then have 10 working days to request a  
20 hearing by the Department on the alleged violations. Failure to  
21 respond within the 10 working day period shall result in  
22 automatic and immediate placement and publication on the list.  
23 If the contractor or subcontractor requests a hearing within

1 the 10 working day period, the Director shall set a hearing on  
2 the alleged violations. Such hearing shall take place no later  
3 than 45 calendar days after the receipt by the Department of  
4 Labor of the request for a hearing. The Department of Labor is  
5 empowered to promulgate, adopt, amend and rescind rules and  
6 regulations to govern the hearing procedure. No contract shall  
7 be awarded to a contractor or subcontractor appearing on the  
8 list, or to any firm, corporation, partnership or association  
9 in which such contractor or subcontractor has an interest until  
10 4 years have elapsed from the date of publication of the list  
11 containing the name of such contractor or subcontractor.  
12 (Source: P.A. 93-38, eff. 6-1-04; 94-488, eff. 1-1-06.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.